

REMARKS

Claims 1 - 6 were previously pending. At the behest of the Examiner, claim 6 has been withdrawn as it relates to an unelected embodiment of the instant invention. Accordingly, claims 1 - 5 are presently under review in the application.

I. Claim Rejections - 35 U.S.C. § 112, First Paragraph

Claims 1 - 5 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. That is, the claims are rejected because of a lack of correspondence between the numbering of elements in the drawings and the instant specification. Moreover, the grounds of rejection also state that “[i]t is also unclear regarding the temperature regulator, the cooling fluid and the closed space.” These issues are addressed in turn.

The Drawings

The drawings are objected to as failing to comply with 37 C.F.R. § 1.84(p)(5), for failure to include reference numerals with noted elements. In response, Applicant herewith provides three (3) sheets of Replacement Drawings, in which the elements are properly labeled with reference numerals, thereby complying with 37 C.F.R. § 1.84(p)(5). Accordingly, it is respectfully requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 112, first paragraph.

The Temperature Regulator, Cooling Fluid and Closed Space

As to the temperature regulator means, the cooling fluid and the closed space, it is respectfully asserted that this rejection is traversed, as follows.

As to the closed space, this feature is clearly shown in Fig. 2, for example, as element 23. Moreover, the written description relates element 23 on page 6 of the instant specification (lines 15 - 23). The aforementioned citation clearly provides that an embodiment of the invention “includes a cooling system including wall 22 delimiting a closed space 23.” That is, the closed space is clearly articulated as a receptacle for the cooling liquid. Accordingly, it is respectfully requested that the Examiner reconsider and withdraw this rejection.

Furthermore as to the temperature regulator means and the cooling fluid, these features’ qualities are described, for example, on page 6 of the specification. To paraphrase page 6, a cooling liquid fills closed space 23 (wherein the closed space is delimited by wall 22). Further, a volume limiter 24 is included, which reduces the mass of the cooling liquid placed inside the closed space 23. Clearly then, it is self-evident that the temperature regulator means and the cooling liquid are sufficiently described so as to enable a person skilled in the art to make and use the instant invention. Simply stated, a cooling liquid fills a closed space, thereby cooling the adjacent housings’ storage cells. Accordingly, the temperature is thereby regulated.

Additionally, the instant specification (at page 4, lines 25 - 26) clearly articulates an example of temperature regulator means and the associated cooling liquid “in a manner similar” to the instant invention as that described in document FR-2 761 203.

Therefore, in light of the previous, it is respectfully requested that the Examiner reconsider and withdraw this rejection, as Applicant’s Replacement Drawings, in combination with the instant specification, provide clear and concise enablement of the instant invention.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER



Jason C. Beckstead
Registration No. 48,232

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